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14 Facebook, Inc. and Instagram, LLC

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 FACEBOOK, INC. and INSTAGRAM, LLC,

18 Plaintiffs,

19 v.

20 9 XIU NETWORK (SHENZHEN) TECHNOLOGY
21 CO., LTD. a/k/a JIUXIU NETWORK
22 (SHENZHEN) TECHNOLOGY CO., LTD.;
23 9 XIU FEISHU SCIENCE AND TECHNOLOGY
24 COMPANY LTD.;
25 9 XIUFEI BOOK TECHNOLOGY CO., LTD.;
26 HOME NETWORK (FUJIAN) TECHNOLOGY
27 CO., LTD.;
28 WEI GAO a/k/a GAO WEI;
ZHAOCHUN LIU a/k/a LIU ZHAOCHUN; and
ZHAOPING LIU a/k/a LIU ZHAOPING,

Defendants.

Case No. 4:19-cv-1167-JST

**SUPPLEMENTAL DECLARATION OF
CELESTE INGALLS IN SUPPORT OF
PLAINTIFFS FACEBOOK, INC. AND
INSTAGRAM, LLC'S MOTION TO DEEM
SERVICE EFFECTIVE AND TO ENTER
DEFAULT AGAINST DEFENDANTS**

DATE: July 15, 2020
TIME: 2:00 p.m.
CTRM: 6 – 2nd Floor

Presiding: Hon. Jon S. Tigar
Referral: Hon. Alex G. Tse

1 I, Celeste Ingalls, declare as follows:

2 1. I am employed by Alan H. Crowe & Associates, Inc. dba Crowe Foreign Services,
3 1020 SW Taylor Street, Suite 240, Portland, Oregon, and have specialized in the service of civil process
4 in foreign countries for more than twenty-three years. I am a citizen of the United States, am over the age
5 of twenty-one, and am neither a party in this action nor an attorney for any party in this action. I make this
6 declaration of my personal knowledge and, if called as a witness, would testify competently to each of the
7 following facts.

8 2. I have been retained to effect service of process upon Defendants 9 Xiu Network
9 (Shenzhen) Science and Technology Co., Ltd. a/k/a Jiuxiu Network (Shenzhen) Science and Technology
10 Co., Ltd., Wei Gao a/k/a Gao Wei, Zhaochun Liu a/k/a Liu Zhaochun, and Zhaoping Liu a/k/a
11 Liu Zhaoping in the People's Republic of China ("China").

12 3. The United States and China are signatories to the Convention on the Service Abroad of
13 Judicial and Extrajudicial Documents in Civil and Commercial Matters, Nov. 15, 1965, 20 U.S.T. 361,
14 658 U.N.T.S. 163 (the "Hague Service Convention").

15 4. In accordance with the Hague Service Convention, I prepared and transmitted to China's
16 designated central authority a Request for Service Abroad of Judicial or Extra Judicial Documents for
17 each of Defendants Wei Gao a/k/a Gao Wei, Zhaochun Liu a/k/a Liu Zhaochun, and Zhaoping Liu a/k/a
18 Liu Zhaoping. These documents are required to initiate service of process via the Hague Service
19 Convention, and they are attached to this declaration as Exhibits 1-3, respectively.

20 5. I am also attaching as Exhibit 4 to this declaration a certificate of attempted service issued
21 by China's designated central authority indicating that service was attempted on Defendant Zhaoping Liu.
22 Although this document is dated April 26, 2020, I did not receive it from China's designated central
23 authority until June 19, 2020. I notified counsel for Facebook and Instagram of the certificate of attempted
24 service on June 25, 2020.

25 6. As indicated in Paragraph 12 of my August 9, 2019 declaration filed earlier in this case
26 [ECF No. 24-2], the Chinese government tends not to return certificates of service for an average of one
27 to five months after service or attempted service occurs and generally will not provide any information
28 concerning the status of service during this time.

1 7. To wit, as indicated in Paragraph 13(c) of my June 9, 2020 declaration filed with the Court
2 [ECF No. 35-2], I requested a status update concerning service from China's designated central authority
3 on May 21, 2020, yet no update was provided despite the fact that service had been attempted and the
4 certificate attached as Exhibit 4 had been prepared. In my twenty-four years of experience in this area,
5 this practice is typical.

6

7 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
8 correct and that this declaration was executed on June 30, 2020 in Portland, Oregon.

9

10 _____
11 CELESTE INGALLS

Exhibit 1

REQUEST FOR SERVICE ABROAD OF JUDICIAL OR EXTRA JUDICIAL DOCUMENTS

DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIARE OU EXTRAJUDICIAIREConvention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
ou commerciale, signée à La Haye, le 15 Novembre 1965.Identity and address of the applicant
Indentité et adresse du requérant

L. Celeste Ingalls**
 Crowe Foreign Services
 1020 SW Taylor Street, Suite 240
 Portland, Oregon 97205
 USA
 Email: Lci@foreignservices.com
 Fax Number: 1 503 222 3950

Address of receiving authority
Adresse de l'autorité destinataire

Department of International Judicial Assistance
 Ministry of Justice of P.R.O.C.
 6, Chaoyangmen Nandajie
 Chaoyang District
 Beijing 100020, P.R.O.C.
 Phone: 8610-6515 3113 Fax: 8610-6515 3144

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,

(identity and address)

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savor:
 (identité et adresse)

Wei Gao, also known as Gao Wei

At the addresss of: No. 112, Shanhai V Gu, 1 Hao Chengshi, Yongxiang Road, Maantang Community
 Bantian Street, Longgang District, Shenzhen

(深圳市龙岗区坂田街道马安堂社区永香路1号城市山海V谷112)

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
 a) selon les formes légales (article 5, alinéa premier, lettre a).
 (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
 b) selon la forme particulière suivante (article 5, alinéa premier, lettre b).
 (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
 e) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant au verso.

List of documents

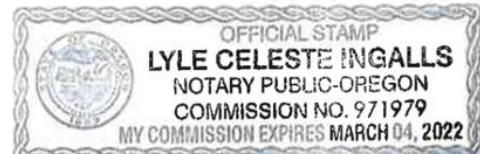
Enumération des pièces

Executed "Summary" (2 pages)
 *** Summons in a Civil Action
 *** Complaint, with Exhibits 1 through 12
 *** Civil Cover Sheet
 *** Certificate of Interested Parties
 *** Corporate Disclosure Statement
 *** Report on Filing Determination
 *** Case Assignment to Judge Tigar
 *** Order Setting Initial Case Management Conference
 *** Judge Tigar Standing Order
 *** Standing Order-All Judges
 *** Notice of Video
 *** ECF Registration Information Handout
 *** Notice of Availability of Magistrate Judge
 *** Filing Procedures for San Francisco Division

Done at Portland, Oregon, USA, the 7 day of June, 2019.
 Fait à Portland, Oregon, USA, le...

Signature and/or stamp.

Signature et/ou cachet




 L. Celeste Ingalls



* Delete if inappropriate

Rayer les mentions inutiles

** Authorized applicant pursuant to Rule 4(c)(2) of the
 Federal Rules of Civil Procedure, Public Law 97-462 462
 *** With Chinese translation

Exhibit 2

DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIARE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or
commercial matters, signed at The Hague, November 15, 1965

Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
ou commerciale, signée à La Haye, le 15 Novembre 1965.

Identity and address of the applicant
Indentité et adresse du requérant

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1020 SW Taylor Street, Suite 240
Portland, Oregon 97205
USA
Email: Lci@foreignservices.com
Fax Number: 1 503 222 3950

Address of receiving authority
Adresse de l'autorité destinataire

Department of International Judicial Assistance
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6, Chaoyangmen Nandajie
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Beijing 100020, P.R.O.C.
Phone: 8610-6515 3113 Fax: 8610-6515 3144

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(identity and address)

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés
en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savor:
(identité et adresse)

Zhaochun Liu, also known as Liu Zhaochun

At the address of: No. 112, Shanhai V Gu, 1 Hao Chengshi, Yongxiang Road
Maantang Community, Bantian Street, Longgang District, Shenzhen
(深圳市龙岗区坂田街道马安堂社区永香路1号城市山海V谷112)

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5, alinéa premier, lettre a).
 (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b):
 (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
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List of documents

Enumération des pièces

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Fait à Portland, Oregon, USA, le...

Signature and/or stamp.

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L. Celeste Ingalls

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* Delete if inappropriate
Rayer les mentions inutiles

** Authorized applicant pursuant to Rule 4(c)(2) of the
Federal Rules of Civil Procedure, Public Law 97-462 462
*** With Chinese translation



Exhibit 3

DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIARE OU EXTRAJUDICIAIRE

Convention on the service abroad of judicial and extrajudicial documents in civil or
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Convention relative à la signification et à la notification à l'étranger des actes judiciaires ou extrajudiciaires en matière civile
ou commerciale, signée à La Hague, le 15 Novembre 1965.

Identity and address of the applicant Indentité et adresse du requérant	Address of receiving authority Adresse de l'autorité destinataire
<p>L. Celeste Ingalls** Crowe Foreign Services 1020 SW Taylor Street, Suite 240 Portland, Oregon 97205 USA Email: Lci@foreignservices.com Fax Number: 1 503 222 3950</p>	<p>Department of International Judicial Assistance Ministry of Justice of P.R.O.C. 6, Chaoyangmen Nandajie Chaoyang District Beijing 100020, P.R.O.C. Phone: 8610-6515 3113 Fax: 8610-6515 3144</p>

The undersigned applicant has the honour to transmit - in duplicate - the documents listed below and, in conformity with article 5 of the
above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)

Le requérant soussigné a l'honneur de faire parvenir - en double exemplaire - à l'autorité destinataire les documents ci-dessous énumérés
en la priant conformément à l'article 5 de la Convention précitée, d'en faire remettre sans retard un exemplaire au destinataire, savor:
(identité et adresse)

Zhaoping Liu, also known as Liu Zhaoping
At the address of: 8th Floor, Building 9, Youth Building, J Building
Longyan Business Operation Center, Longyan City

(a) in accordance with the provisions of sub-paragraph (a) of the first paragraph of article 5 of the Convention.*
a) selon les formes légales (article 5, alinéa premier, lettre a).

(b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)*:
b) selon la forme particulière suivante (article 5, alinéa premier, lettre b):

(c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
c) le cas échéant, par remise simple (article 5, alinéa 2).

The authority is requested to return or to have returned to the applicant a copy of the documents - and of the annexes* - with a certificate
as provided on the reverse side.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un exemplaire de l'acte - et de ses annexes - avec l'attestation figurant
au verso.

List of documents

Enumeration des pièces

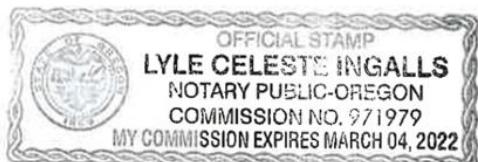
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Signature and/or stamp.

Signature et/ou cachet


L. Celeste Ingalls



* Delete if inappropriate

Rayer les mentions inutiles

** Authorized applicant pursuant to Rule 4(c)(2) of the
Federal Rules of Civil Procedure, Public Law 97-462 462

*** With Chinese translation

Exhibit 4

证明书
CERTIFICATE
ATTESTATION

根据公约第六条，签署本证明书的机关荣幸地证明，

The undersigned authority has the honour to certify, in conformity with Article 6 of the Convention,

2019-SXS-1158

L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention,

1. 文书已予送达*

that the document has been served *
que la demande a été exécutée*

- 日期: the (date) / le (date) :		_____
- 地点 (城镇、街、号): at (place, street, number) / à (localité, rue, numéro) :		_____
- 采用的第五条所规定的送达方法为: in one of the following methods authorised by Article 5: dans une des formes suivantes prévues à l'article 5:		
<input type="checkbox"/>	a) 依公约第五条第一款第一项的规定。 in accordance with the provisions of sub-paragraph a) of the first paragraph of Article 5 of the Convention* selon les formes légales (article 5, alinéa premier, lettre a)*	_____
<input type="checkbox"/>	b) 依下述特定方法* in accordance with the following particular method*: selon la forme particulière suivante*: _____	_____
<input type="checkbox"/>	c) 交付给自愿接受的收件人。 by delivery to the addressee, if he accepts it voluntarily* par remise simple*	_____

请求书中所列文书已交付给:

The documents referred to in the request have been delivered to:
Les documents mentionnés dans la demande ont été remis à:

收件人身份和说明: Identity and description of person: Identité et qualité de la personne:	_____
与受送达人的关系 (家庭、业务及其他): Relationship to the addressee (family, business or other): Liens de parenté, de subordination ou autres, avec le destinataire de l'acte:	_____

2. 由于下列事实文书未能送达: *

that the document has not been served, by reason of the following facts*:
que la demande n'a pas été exécutée, en raison des faits suivants*:

No such person at the address provided.

按照公约第十二条第二款, 请申请者支付或补偿后附说明中开列的费用。 *

In conformity with the second paragraph of Article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.
Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint*.

附:

Annexes / Annexes

退还的文书: Documents returned: Pièces renvoyées:	_____
适当当时, 确认送达的文书: In appropriate cases, documents establishing the service: Le cas échéant, les documents justificatifs de l'exécution:	_____

*适当当时
if appropriate / s'il y a lieu

制于 (地点) Beijing
Done at / Fait à

日期 Apr.26,2020
the / le

中华人民共和国
Signature and/or stamp. Signature et/ou cachet
司法部
民商事司法协助专用章

19-1158

深圳市龙岗区人民法院

送达回证

(2019)粤0307民初338号

收件人	Zhaoping Liu, also known as Liu Zhaoping			案由	知识产权纠纷
送达地点	深圳市龙岗区坂田街道马安堂社区永香路1号城市山海1栋112			送达方式	直接送达
送达文件	签发人	送达日期	收到日期	收件人 签名或 盖章	不能送达理由
文书相容		年 日 月 时			
其他文书		年 日 月 时			
		年 日 月 时			
		年 日 月 时			
		年 日 月 时			
		年 日 月 时			
		年 日 月 时			
备注	经办人核实,此件已送达,查无此人。 收件人:孙海静. 黄丽娟 2019.8.6.				

注: 1、如收件人不在时, 将文件交与他的成年家属、工作机关或收件人居住地的村委会或街道办事处代收。
 2、如系代收, 代收人应在收件人栏内签名或盖章, 并说明与收件人关系。
 3、收件人收到文件后将此证寄回我院。

338 1576

DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ETRANGER
D'UN ACTE JUDICIARE OU EXTRAJUDICIAIRE

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1020 SW Taylor Street, Suite 240
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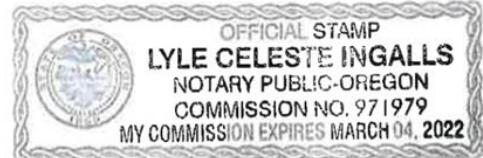
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Signature and/or stamp.

Signature et/ou cachet


L. Celeste Ingalls



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